No. 106

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, NOVEMBER 30, 2005

	10:00 a.m.							
	MOTIONS		MESSAGES FROM THE GOVERNOR					
SB	246 Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a. Motion to discharge Committee on Appropriations pending.	SB	274 Sen. Clarke Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Thursday, September 29. For veto message, see Senate Journal No. 87, page 1762.					
SB	318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384). Motion to discharge Committee on Commerce and Labor pending.	SB	Vetoed line items pending. 7 281 Sen. Barcia Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Fri-					
SB	MESSAGES FROM THE GOVERNOR 272 Sen. Switalski		day, September 30. For veto message, see Senate Journal No. 87, page 1762. Vetoed line items pending.					
	Appropriations; general government; general government; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.	SB	175 Sen. Brown Economic development; other; tax incentives for distribution and warehousing facilities; provide for. Amends sec. 2 of 1974 PA 198 (MCL 207.552). Vetoed by Governor, Thursday, November 17. For veto message, see Senate Journal No. 105, page 2258. Veto pending.					
SB	271 Sen. Scott Appropriations; human services; department of human services; provide for fiscal year 2005-2006. Creates appropriation act.		MESSAGES FROM THE HOUSE					
	Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.	SB	648 Sen. Basham Law enforcement; law enforcement information network (LEIN); reference to L.E.I.N. policy council act; revise to criminal justice information systems policy council act.					
SB	264 Sen. Barcia Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.		Amends title & secs. 1, 2, 3, 4 & 5 of 1974 PA 163 (MCL 28.211 et seq.); adds secs. 1a & 3a & repeals sec. 6 of 1974 PA 163 (MCL 28.216) & 1988 PA 307 (MCL					

Creates appropriation act.

Wednesday, September 28.

Vetoed line items pending.

Approved by Governor, with line items vetoed,

For veto message, see Senate Journal No. 87, page 1761.

Returned from House with House substitute (H-1),

Tuesday, November 8; laid over under the rules.

28.151 - 28.158).

I.E. House, November 3, 2005.

MESSAGES FROM THE HOUSE

_____ 10 _____

SB 654 Sen. Toy

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of unlawful purchase of public property by public servant; enact.

Amends sec. 11a, ch. XVII of 1927 PA 175 (MCL 777.11a).

I.E. House, November 10, 2005.

Returned from House with amendment, Tuesday, November 29; laid over under the rules.

For House amendment, see Senate Journal No. 105, page 2260.

Committee recommended I.E.

THIRD READING OF BILLS

____ 11 _____

SB 102 Sen. Cropsey

Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.

Reported by Committee on Judiciary. Committee recommended I.E.

____ 12 _____

SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

____ 13 ____

HB 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

HB 4317 Rep. Lipsey

Counties; other; county road commission; provide option to expand membership or eliminate.

Amends sec. 12 of 1973 PA 139 (MCL 45.562).

I.E. House, June 29, 2005.

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

THIRD READING OF BILLS

HB 4027 Rep. Stewart

Economic development; plant rehabilitation; industrial facilities exemption certificate provision; revise.

Amends sec. 7 of 1974 PA 198 (MCL 207.557).

I.E. House, November 3, 2005.

House substitute (H-3).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

—— 16 —

HB 4777 Rep. Van Regenmorter

Torts; remedies; wrongful death statute's application to unborn child; clarify.

Amends secs. 2922 & 2922a of 1961 PA 236 (MCL 600.2922 & 600.2922a).

I.E. House, October 25, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

_____ 17 ______

HB 4597 Rep. Mortimer

Crimes; lewdness; penalties for indecent exposure while engaging in a lewd and lascivious act; provide for.

Amends sec. 335a of 1931 PA 328 (MCL 750.335a).

I.E. House, May 26, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

____ 18 _____

HB 4598 Rep. Jones

Criminal procedure; sex offender registration; crime of indecent exposure while engaging in a lewd and lascivious act; include under sex offender registration requirements.

Amends sec. 2 of 1994 PA 295 (MCL 28.722).

I.E. House, May 26, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

_____ 19 _____

HB 4599 Rep. Elsenheimer

Criminal procedure; sentencing guidelines; indecent exposure while engaging in a lewd and lascivious act; include in guidelines.

Amends sec. 16q, ch. XVII of 1927 PA 175 (MCL 777.16q).

I.E. House, May 26, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

THIRD READING OF BILLS

____ 20 _____

HB 4258 Rep. Miller

Law; contracts; use of fingerprint as a legal signature; allow for a person who is unable to sign.

Amends sec. 3q of 1846 RS 1 (MCL 8.3q).

I.E. House, September 7, 2005.

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 105, page 2261.

Committee recommended I.E.

____ 21 _____

HB 4186 Rep. Rocca

Weapons; concealed; renewal date of concealed pistol permit; establish as same day as expiration of permit when renewed prior to expiration date.

Amends sec. 5l of 1927 PA 372 (MCL 28.425l).

I.E. House, March 23, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

_____ 22 _____

HB 5332 Rep. Ball

Insurance; property and casualty; prohibition against rebating for property-casualty insurance policies; permit gift of merchandise up to \$10.00.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2024b.

I.E. House, November 1, 2005.

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

____ 23 _____

SB 795 Sen. George

Records; other; procedure for transmission of microfilm or electronic copies of vital records by state registrar to facilitate genealogical research; establish.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 2885.

Reported by Committee on Health Policy. Committee recommended I.E.

HB 5046 Rep. Mortimer

Health facilities; emergency medical services; staffing requirement for a nontransport prehospital life support operation designated as providing basic life support; revise to allow 1 emergency medical technician to be on board or at the emergency scene.

____ 24 _____

Amends sec. 20927 of 1978 PA 368 (MCL 333.20927).

I.E. House, September 28, 2005.

House substitute (H-1).

Reported by Committee on Health Policy.

Committee recommended I.E.

THIRD READING OF BILLS

HB 4706 Rep. Kooiman

Liquor; hours; permit to allow extended restaurant hours under certain circumstances; provide for.

Amends sec. 916 of 1998 PA 58 (MCL 436.1916).

I.E. House, June 29, 2005.

House substitute (H-3).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

_____ 26 _____

HB 5067 Rep. Jones

Liquor; other; alcohol-without-liquid devices; prohibit possession, sale, or use of.

Amends title & sec. 105 of 1998 PA 58 (MCL 436.1105) by adding sec. 914.

I.E. House, September 15, 2005.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

____ 27 _____

HB 5026 Rep. Emmons

Consumer protection; other; vehicle protection product warranties; regulate.

Creates new act.

I.E. House, September 21, 2005.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-3).

Committee recommended I.E.

GENERAL ORDERS

____ 28 _____

SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

GENERAL ORDERS

HB 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations.

Senate substitute (S-1).

Committee recommended I.E.

— 31 ———

SB 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

_____ 32 _____

SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

33

SB 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

____ 34 ____

SB 476 Sen. Sanborn

State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.

Amends sec. 77 of 1984 PA 270 (MCL 125.2077).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

HB 4555 Rep. Pearce

Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.

Amends sec. 10k of 1951 PA 51 (MCL 247.660k).

I.E. House, June 9, 2005.

House substitute (H-2).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

____ 36 ____

SB 783 Sen. Bishop

Environmental protection; solid waste; out-of-state waste regulatory program; establish.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11526d, 11526e, 11526f, 11526g & 11526h.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 37 _____

HB 5176 Rep. Acciavatti

Environmental protection; solid waste; foreign municipal solid waste; prohibit disposal of.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11526e.

I.E. House, September 21, 2005.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

____ 38 _____

HB 5177 Rep. Pavlov

Environmental protection; solid waste; foreign municipal solid waste; provide penalty for violation of disposal prohibition.

Amends sec. 11549 of 1994 PA 451 (MCL 324.11549).

I.E. House, September 21, 2005.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

____ 39 _____

HB 5178 Rep. Palsrok

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of importing solid waste from a foreign country; enact.

Amends sec. 13c, ch. XVII of 1927 PA 175 (MCL 777.13c).

I.E. House, September 21, 2005.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

HB 4617 Rep. Moolenaar

Environmental protection; cleanups; designation of a facility; require to be based upon samples collected from the property.

Amends secs. 20101, 20117 & 20120a of 1994 PA 451 (MCL 324.20101 et seq.).

I.E. House, June 29, 2005.

House substitute (H-2).

Reported by Committee on Appropriations.

Senate substitute (S-1).

GENERAL ORDERS ____ 41 ____ SB 829 Sen. Allen **HB 4817** Rep. Caul Highways; bridges; transfer of authority to department of transportation for Mackinac bridge; repeal. Repeals sec. 9 of 1966 PA 13 (MCL 254.369). Reported by Committee on Transportation. Committee recommended I.E. SB 830 Sen. Allen Highways; bridges; authority for operation of Mackinac bridge; clarify. SB 584 Sen. Olshove Amends 1965 PA 380 (MCL 16.101 - 16.608) by adding sec. 359 & repeals sec. 357 of 1965 PA 380 (MCL 16.457). Reported by Committee on Transportation. Committee recommended I.E. SB 831 Sen. Allen Highways; bridges; financial authority for the Mackinac bridge; provide for. SB 705 Sen. Brown Amends sec. 2 of 1950 (Ex Sess) PA 21 (MCL 254.302). Reported by Committee on Transportation. Committee recommended I.E. SB 832 Sen. Allen Highways; bridges; contractual authority for the Mackinac bridge; provide for. Amends sec. 14 of 1952 PA 214 (MCL 254.324). SB 583 Sen. Allen Reported by Committee on Transportation. Committee recommended I.E. HB 4818 Rep. Baxter Economic development; renaissance zones; revocation of designation by local units of government at certain times; provide for. Amends sec. 8d of 1996 PA 376 (MCL 125.2688d). HB 4733 Rep. Baxter I.E. House, June 8, 2005. For House amendments, see House Journal No. 51, page 765. Reported by Committee on Commerce and Labor. Senate substitute (S-3). Committee recommended I.E. 802 Sen. Allen Economic development; Michigan economic growth authority; eligibility criteria; modify. Amends secs. 3 & 8 of 1995 PA 24 (MCL 207.803 & 207.808). Reported by Committee on Commerce and Labor. Senate substitute (S-1). Committee recommended I.E.

ing sec. 1j.

sec. 35c. I.E. House, June 29, 2005.

Senate substitute (S-3).

Committee recommended I.E.

\$200,000.00 or less; provide for criteria.

House substitute (H-1).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

GENERAL ORDERS

Amends sec. 3 of 1996 PA 376 (MCL 125.2683).

Reported by Committee on Commerce and Labor.

recovery zone; provide for.

I.E. House, June 8, 2005.

alternative energy zone; modify.

Committee recommended I.E.

Committee recommended I.E.

Committee recommended I.E.

____ 48 _____

Economic development; renaissance zones; definition of

— 49 ———

Economic development; renaissance zones; definition of

Amends sec. 8a of 1996 PA 376 (MCL 125.2688a).

Highways; other; hydrogen highway; create.

Reported by Committee on Technology and Energy.

Amends 1951 PA 51 (MCL 247.651 - 247.675) by add-

State; authorities; Michigan next energy authority; revise.

____ 52 _____

Single business tax; credit; tax credits for projects of

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding

Reported by Committee on Technology and Energy.

____ 51 ____

Amends sec. 2 of 2002 PA 593 (MCL 207.822). Reported by Committee on Technology and Energy.

Senate substitute (S-1).

Committee recommended I.E.

HB 4734 Rep. Elsenheimer

Single business tax; credit; qualification for projects of \$200,000.00 or less; provide for.

Amends sec. 38g of 1975 PA 228 (MCL 208.38g).

I.E. House, June 29, 2005.

House substitute (H-3).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-3).

Committee recommended I.E.

— 47 ——

181 Sen. Patterson SB

State; employees and officers; office of state poet laureate; create.

Creates new act.

Reported by Committee on Commerce and Labor. Committee recommended I.E.

GENERAL ORDERS

SB 579 Sen. Gilbert

Economic development; plant rehabilitation; filing date of an application for an industrial facilities exemption; revise. Amends sec. 9 of 1974 PA 198 (MCL 207.559).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

COMMITTEE REPORTS

_____ 55 ____

SB 208 Sen. Toy

Corrections; jails; reimbursement to municipalities for costs of housing inmates; provide for.

Creates new act.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 56 _____

SB 541 Sen. Sanborn

Torts; civil procedure; revised structured settlement protection act; enact.

Creates new act & repeals 2000 PA 330 (MCL 691.1191 - 691.1197).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 57 _____

HB 5275 Rep. Newell

Law enforcement; law enforcement information network (LEIN); L.E.I.N. policy council act; revise.

Amends title & secs. 1, 2, 3, 4 & 5 of 1974 PA 163 (MCL 28.211 et seq.); adds secs. 1a & 3a; repeals sec. 6 of 1974 PA 163 (MCL 28.216) & repeals 1988 PA 307 (MCL 28.151 - 28.158).

I.E. House, November 3, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 58 **—**

HB 5276 Rep. Nofs

Law enforcement; records; information disseminated from criminal history database; clarify.

Amends 1925 PA 289 (MCL 28.241 - 28.248) by adding sec. 2a.

I.E. House, November 3, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

— 59 ———

HB 5277 Rep. Condino

Law enforcement; law enforcement information network (LEIN); information on LEIN regarding defendant; allow certain parties to share with defendant or defendant's attorney.

Amends sec. 4 of 1974 PA 163 (MCL 28.214).

I.E. House, November 3, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 60 _____

HB 4798 Rep. Van Regenmorter

Crime victims; rights; crime victims assessment; require to be applied in cases where sentence has been delayed or deferred.

Amends secs. 5 & 6 of 1989 PA 196 (MCL 780.905 & 780.906).

I.E. House, October 12, 2005.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

----- 61 ------

HB 5023 Rep. Hildenbrand

Criminal procedure; sentencing; court ordered fines, costs, or assessments; clarify judge's authority.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 1k to ch. IX.

I.E. House, October 12, 2005.

House substitute (H-4).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

_____ 62 _____

HB 5268 Rep. Meyer

Crimes; other; torture; prohibit and provide penalties. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding ec. 85.

I.E. House, November 1, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

- 63 —

HB 5269 Rep. Nofs

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of torture; create.

Amends sec. 16d, ch. XVII of 1927 PA 175 (MCL 777.16d).

I.E. House, November 1, 2005.

For House amendment, see House Journal No. 94, page 2050.

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

- 64 -

HB 4577 Rep. David Law

Human services; fraud; enforcement of medicaid whistleblower protection; provide for.

Amends 1977 PA 72 (MCL 400.601 - 400.613) by adding secs. 10a, 10b & 10c.

I.E. House, October 5, 2005.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations -

Subcommittees -

Capital Outlay - Thursday, December 1, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

SCHEDULED MEETINGS

History, Arts, and Libraries - Wednesday, November 30, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0793)

Judiciary and Corrections - Wednesday, December 7, 9:00 a.m., Room 402, Capitol Building (373-3760)

Economic Development, Small Business and Regulatory Reform - Wednesday, November 30, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Education - Wednesday, November 30, 3:00 p.m., Room 110, Farnum Building (373-6920)

Finance - Wednesday, November 30, 1:00 p.m., Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, November 30, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Senior Citizens and Veterans Affairs - Wednesday, November 30, 1:00 p.m., Room 100, Farnum Building (373-1707)

Transportation - Wednesday, November 30, 9:00 a.m., Room 110, Farnum Building (373-7708)

BILLS IN CONFERENCE

		Conferees			Report Agreed To	
Bill No.	Brief Title	Senate	House	Senate	House	
HB 4315	Counties; boards and commissions; county	Gilbert	LaJoy			
	road commission; provide option to expand membership or eliminate.	Kuipers Basham	Hoogendyk Anderson			